

Appl. No. 09/980,797
 Atty. Docket No. 7656M
 Amdt. dated September 9, 2004
 Reply to Office Action of 08/13/2004
 Customer No. 27752

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

(Canceled) 1 – 25.

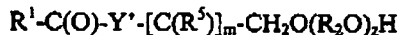
(Canceled) 26 – 33.

(Currently Amended) 34. A clear or translucent liquid fabric softener composition comprising:

A. from about 1% to about 80% by weight of the composition, of polyquaternary ammonium fabric softener active which either has a phase transition temperature in the presence of less than about 5% organic solvent or water of less than about 50°C or which has no significant endothermic phase transition in the region -50°C to 100°C, said active being in a bilayer; and

B. an effective amount of stabilizer for maintaining said composition clear or translucent comprising an effective amount of bilayer modifier. ~~The composition of Claim 30~~ wherein said bilayer modifier comprises a nonionic surfactant [[surfactants]] with a bulky head group selected from:

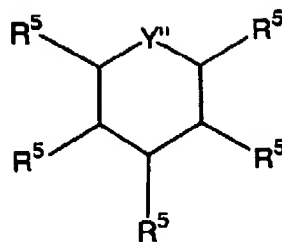
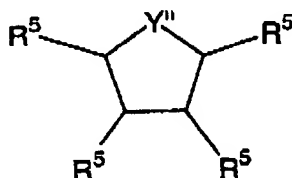
1. a surfactant [[surfactants]] having the formula



wherein R^1 is selected from the group consisting of saturated or unsaturated, primary, secondary or branched chain alkyl or alkyl-aryl hydrocarbons; said hydrocarbon chain containing from about 6 to about 22 carbon atoms; Y' is selected from the following groups: -O-; -N(A)-; and/or mixtures thereof; A is selected from the following groups: H; R^1 ; $-(R^2-O)_x-H$; $-(CH_2)_xCH_3$; phenyl, or substituted aryl, wherein $0 \leq x \leq$ about 3 and z is from about 5 to about 30; each R^2 is selected from the following groups or combinations of the following groups: $-(CH_2)_n-$ wherein n is from about 1 to about 4 and/or $-[CH(CH_3)CH_2]-$; and each R^5 is selected from the following groups: -OH; and $-O(R^2O)_z-H$; and m is from about 2 to about 4;

2. a surfactant [[surfactants]] having at least one of the following formulas: [[the formulas:]]

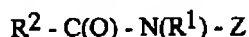
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wherein Y'' = N or O; and each R⁵ is selected independently from the following:

-H, -OH, -(CH₂)_xCH₃, -O(OR²)_z-H, -OR¹, -OC(O)R¹, and -CH(CH₂-(OR²)_z-H)-CH₂-(OR²)_z-C(O)R¹, x and R¹ are as defined above and 5 ≤ z, z', and z'' ≤ 20;

3. a polyhydroxy fatty acid amide surfactant [[surfactants]] of the formula:



wherein: each R¹ is H, C₁-C₄ hydrocarbyl, C₁-C₄ alkoxyalkyl, or hydroxyalkyl; and R² is a C₅-C₃₁ hydrocarbyl moiety; and each Z is a polyhydroxyhydrocarbyl moiety having a linear hydrocarbyl chain with at least 3 hydroxyls directly connected to the chain, or an ethoxylated derivative thereof; and each R' is H or a cyclic mono- or poly-saccharide, or alkoxylated derivative thereof; and

4. a mixture [[mixtures]] thereof.

(Canceled) 35-41

(Previously Presented) 42. The method of determining the stability of aqueous clear or translucent softening composition according to Claim 26 comprising polyquaternary ammonium softener compound comprising subjecting said composition to high-speed centrifugation and measuring the % volume of secondary phase which separates.

(Canceled) 43 - 44.

(Currently Amended) 45. The composition of Claim 34 [[43,]] further comprising an ~~wherein~~ the organic solvent [[is]] from at or above about 0.25% [[0.5%]] to at or below about 7% [[5%]] by weight of the composition.

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(Currently Amended) 46. The composition of Claim 45, wherein said organic solvent is from at or above 0.5% to at or below about 5% by weight of the composition. ~~further comprising an effective level of less than 5% of said organic solvent.~~

(Canceled) 47 - 49.

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